

Notice of Allowability

Application No.

09/858,323

Examiner

Azizul Choudhury

Applicant(s)

JUNGCK ET AL.

Art Unit

2145

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

- 1 ☒ This communication is responsive to 12/5/05.
- 2 ☒ The allowed claim(s) is/are 1-37 and 39-41.
- 3 ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some* c) ☐ None of the:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

- 4 ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
- 5 ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
- (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
- 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
- (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
- 6 ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

- 1 ☐ Notice of References Cited (PTO-892)
- 2 ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3 ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date _____
- 4 ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
- 5 ☐ Notice of Informal Patent Application (PTO-152)
- 6 ☐ Interview Summary (PTO-413), Paper No./Mail Date _____
- 7 ☒ Examiner's Amendment/Comment
- 8 ☒ Examiner's Statement of Reasons for Allowance
- 9 ☐ Other _____

AC

Patrice Winder
PATRICE WINDER
PRIMARY EXAMINER

EXAMINER'S AMENDMENT

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with James L. Katz on December 20, 2005.

- Please cancel claim 38.
- Please replace the existing claims 37 and 41 with the amended claims 37 and 41 below:

37. (Currently Amended) An apparatus for intercepting and processing packets transmitted from a source to a destination over a network, the apparatus comprising: means for selectively intercepting said packets prior to receipt by said destination based on a first criteria; means for performing stateless processing tasks on said intercepted packets, said stateless processing tasks comprising tasks which are not directly dependent on a previously intercepted packet, said means for performing stateless processing tasks including: parallel processing means for distributing and processing said intercepted packets in parallel coupled with said stateless processing means; means for performing stateful processing tasks on said statelessly processed intercepted packets, said stateful processing tasks comprising tasks which are based at

Art Unit: 2145

least on a previously intercepted packet, said means for performing stateful processing tasks including: serial processing means operative to distribute said stateful processing tasks on said statelessly processed intercepted packets and selectively release said statefully processed and statelessly processed intercepted packet back to said network.

41. (Currently Amended) The apparatus of claim 37, wherein said network further comprises a bi-directional network having an upstream flow and a downstream flow, said architecture further comprising at least two of said means for performing stateless processing tasks and at least two of said means for performing stateful processing tasks, a first of said at least two means for performing stateless processing tasks and means for performing stateful processing tasks being coupled with said upstream flow and a second of ~~said at least two primary and secondary processors~~ said at least two means for performing stateless processing tasks and means for performing stateful processing tasks being coupled with said downstream flow, and wherein said previously intercepted packet was intercepted from one of said upstream or downstream flow.

Reasons for Allowance

The claim amendments made after the issuance of the final office action claim the architectural layout of a network packet processor device's processor placement and data flow. In particular, the claimed invention features data coming in from a network, into the system and being statelessly processed in parallel by two parallel processors. The data is then sent into a second group of processors for stateful

Art Unit: 2145

processing which, is executed by the two second group of processors in series. The data is then sent out of the system and back into the network. No prior art could be found relating to the claimed traits and hence the claimed invention's novelty has been established.

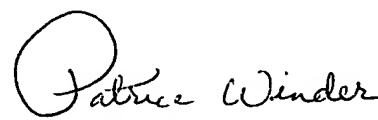
Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Azizul Choudhury whose telephone number is (571) 272-3909. The examiner can normally be reached on M-F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jason Cardone can be reached on (571) 272-3933. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

AC


PATRICE WINDER
PRIMARY EXAMINER